

Remarks

Claims 1-3 and 21-22 have been cancelled in response to the restriction requirement, without prejudice, while reserving our right to pursue the cancelled claims in a Divisional application.

Accordingly applicant elects group II, namely claims 4-20, which were all previously allowed.

However we traverse the restriction regarding claim 23, which has not been cancelled. We respectfully submit claim 23 should be allowed as part of group II, as it includes a limitation which recites: "maximize overall system capacity " and the examiner's own description of group II is based on part that it increases "traffic capacity".

Furthermore, it is submitted there is no additional burden on the examiner, as claim 23, which was previously objected to, has now been rewritten in independent form, and is hence allowable.

Hence it is submitted that the application is now ready for allowance, and notice of same is hereby requested.

Appln. no. 10/673,483
Amd. dated September 28, 2006
Reply to Office Action dated August 28, 2006

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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